

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

BILLY DEE BENTLEY

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(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Curran From-hold
Correctional Facility
7901 State Road
Philadelphia, PA. 19136

CA 11-6481
COMPLAINT

under the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)

Jury Trial: ☒ Yes ☐ No
(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

FILED

DEC 20 2011

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Billy Dee Bentley
ID # KB-8144
Current Institution Camp Hill
Address P.O. BOX 200
Camp Hill, Pennsylvania 17001-0200

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Curran Fromhold Shield # _____
 Where Currently Employed _____
 Address 7901 State Road
Phila. PA. 19136

Defendant No. 2 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 3 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 4 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 5 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. In what institution did the events giving rise to your claim(s) occur? Curran
Fromhold Correctional Facility
- B. Where in the institution did the events giving rise to your claim(s) occur? Inside
a cell.
- C. What date and approximate time did the events giving rise to your claim(s) occur? _____
From 9-29-10 to 7-5-2011

What
happened
to you?

D. Facts: I was forced to sleep in a three man cell, on a boat 18 inches away from a toilet. And the boat I slept on was 5 to 7 inches from the floor. And I was confined to a 3 man cell for six out of the nine months I spent in Curren Fromhold Correctional Facility.

Who
did
what?

The Philadelphia Prison System inflicted cruel and unusual punishment towards me having me confined in a such way.

Was
anyone
else
involved?

The two cell mates I shared the cell with.

Who else
saw what
happened?

Deonta Hurling and Robert Hardy.

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

CORRAU FROMTOLD
CORRECTIONAL FACILITY

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

N - A

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

Philadelphia Prison System

1. Which claim(s) in this complaint did you grieve? about me

sleeping in a three man cell on a boat.

2. What was the result, if any? NOTHING. I was sent to the

R.H.U and never got an response. 30 days later I was sent to
Camphill.

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to

the highest level of the grievance process.

NONE because most
grievances that's filed about this was
swept under the rug because the jails
were over crowded, and every bottom tier
cell in CFCF had 3 men living in a cell.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any: _____

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. _____

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

I ask if the Courts can
appoint me and attorney, Now for being Confined to
a three man cell for six months locked down
24/7 75% out of a week. Not being able to clean
the cell but once a week. Sleeping on a boat
with mice and cock roaches that crawl on
me for being so close to the floor, and the unprofessionalist
way the staff talked and treated me. for my Compensation
Rev. 10/2009 I'm seeking - 5 - one Hundred thousand dollars.

- 6 -

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

C. Have you filed other lawsuits in state or federal court?

Yes ____ No ____

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ____ No ____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25 day of October, 20 11.

Signature of Plaintiff

Billy Bentley

Inmate Number

KB-8144

Institution Address

P.O. Box 200
Camphill, PA. 17001-0200

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 25 day of October, 2011, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: Billy Bentley